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3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
5 AT TACOMA

6 DAVID JEROME HOBBS,

7 Plaintiff,

8 v.

9 MICHAEL J. ASTRUE, Commissioner of
10 Social Security,

11 Defendant.

Case No. 11-5570 RJB-KLS

REPORT AND RECOMMENDATION

12 This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C.
13 § 636(b)(1)(B) and Local Rule MJR 4(a)(4) and as authorized by Mathews, Secretary of H.E.W.
14 v. Weber, 423 U.S. 261 (1976). This matter is before the Court on the defendant's unopposed
15 motion for remand. (ECF #11). After reviewing the defendant's motion and the remaining
16 record, the undersigned recommends that the Court grant the defendant's motion, and remand
17 this matter to the Commissioner pursuant to sentence six of 42 U.S.C. § 405(g) for further
18 proceedings.
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20 This Court recommends that on remand the Appeals Council will remand the matter to an
21 administrative law judge ("ALJ") who shall afford the plaintiff a de novo hearing. This Court
22 shall retain jurisdiction over this action pending further administrative development of the record
23 pursuant to 42 U.S.C. § 405(g).
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REPORT AND RECOMMENDATION - 1

1 If the outcome is still unfavorable to Plaintiff, he may seek judicial review by reinstating
2 this case rather than by filing a new complaint.

3 Given the fact of the parties' stipulation, the Court recommends that the District Judge
4 immediately approve this Report and Recommendation and order the case **REVERSED** and
5 **REMANDED**. A proposed order accompanies this Report and Recommendation.

6 DATED this 1st day of November, 2011.
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9 Karen L. Strombom
10 United States Magistrate Judge
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